

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

On the Commissioner's Own Motion for a Determination of the Adequacy of Warning Devices at the Grade Crossing of the Wisconsin Central Ltd. Tracks with CTH 'B' in the Town of Hawthorne, Douglas County

9164-RX-591

SUPPLEMENTAL ORDER

On May 24, 2006, the Office of the Commissioner of Railroads (OCR) issued an order that required the installation of 12" LED lamps, gates, and constant warning time circuitry on the existing cantilevered signals with appropriate appurtenances at the public crossing of the Wisconsin Central Ltd. (WCL or railroad) tracks with CTH 'B' at-grade in the Town of Hawthorne, Douglas County by December 31, 2007 (Crossing No. 186 107S / MP 439.82).

By letter dated June 9, 2006, the Wisconsin Department of Transportation (DOT) requested a supplemental order. DOT reports and the railroad confirms that the existing signals already have LED lamps so those do not need to be added. Gates and constant warning time circuitry are needed (as required in the original order). DOT suggests that the supplemental order require placing the gates four feet in advance of the existing cantilevered signals. The OCR generally tries to avoid that degree of specificity in its orders and relies on the DOT and the railroad to conform to industry and MUTCD standards. DOT also notes that it will direct the railroad to add a sidelight for Town Hall Road, which intersects CTH 'B' about 50' west of the crossing. Sidelights are allowed under the phrase "appropriate appurtenances" and do not need to be specified in the order. The Commissioner amends the order to delete the requirement to add LED lamps.

THEREFORE, IT IS ORDERED,

1. That the **Wisconsin Central Ltd.** shall install and maintain gates, and constant warning time circuitry and reuse the **existing cantilevered 12" LED signals** with appropriate appurtenances in accordance with such plans as are filed with and approved by the Office of the Commissioner of Railroads at the crossing of its tracks with CTH 'B' at-grade in the Town of Hawthorne, Douglas County by **December 31, 2007** (Crossing No. 186 107S / MP 439.82).

2. That jurisdiction is retained.

Dated at Madison, Wisconsin, (June 22, 2006).

By the Office of the Commissioner of Railroads.

Rodney W. Kreunen
Commissioner of Railroads